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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yusuke SHIMIZU et al.

Serial No. 10/767,171



Filed January 30, 2004

: Confirmation No. 4699

: Docket No. 2004\_0166A

: Group Art Unit 2161

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PREFERENCE INFORMATION MANAGING APPARATUS WHICH STORES USERS' USAGE HISTORY OF PACKAGED CONTENTS, CALCULATES SCORES OF THE USAGE HISTORY, AND OUTPUTS THE RESULT OF THE CALCULATION AS A PREFERENCE INFORMATION, AND PREFERENCE INFORMATION MANAGING APPARATUS WHICH STORES USERS' USAGE HISTORY OF PACKAGED CONTENTS AND THE OTHER CONTENTS, AND CALCULATES SCORES OF THE USAGE HISTORY IN SUCH A MANNER THAT A USAGE HISTORY OF PACKAGED CONTENTS IS CONSIDERED TO BE MORE VALUABLE THAN A USAGE HISTORY OF OTHER CONTENTS, AND OUTPUTS THE RESULT OF THE CALCULATION AS A PREFERENCE INFORMATION

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- [X] each U.S. Patent and U.S. Patent application publication;
- [ ] each reference previously cited in the international application PCT/\_\_\_\_\_ ; and/or
- [ ] each reference previously cited in prior parent application Serial No. \_\_\_\_\_ .

1a.  This Information Disclosure Statement is submitted:  
within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**  
before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,  
**and thus no certification and/or fee is required.**

1b.  This Information Disclosure Statement is submitted  
after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:  
(1)  the certification of paragraph 2 below is provided, **or**  
(2)  the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c.  This Information Disclosure Statement is submitted:  
after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:  
**the certification of paragraph 2 below is provided, and**  
**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified
- a.  that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
  - b.  that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.
3.  Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a full or partial English language translation submitted herewith,
  - a foreign patent office search report (in the English language) submitted herewith,
  - the concise explanation contained in the specification of the present application at page,
  - the concise explanation set forth in the attached English language abstract,
  - the concise explanation set forth below or on a separate sheet attached to the reference:

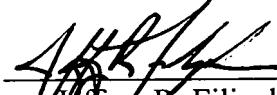
5.  An International Search Report citing one or more of the references is enclosed.
6.  Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Yusuke SHIMIZU et al.

By



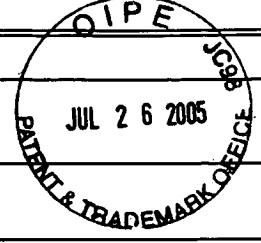
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July 26, 2005

## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (*modified*)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(*Use several sheets if necessary*)

Date Submitted to PTO: July 26, 2005

ATTY DOCKET NO.  
2004\_0166ASERIAL NO.  
10/767,171APPLICANT  
Yusuke SHIMIZU et al.FILING DATE  
January 30, 2004GROUP  
2161

## U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL |    | DOCUMENT NUMBER | DATE     | NAME             | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|----|-----------------|----------|------------------|-------|----------|----------------------------|
|                   | AA | 2002/0108114    | 8-8-02   | Shinohara et al. |       |          |                            |
|                   | AB | 2002/0051581    | 5-2-02   | Takeuchi et al.  |       |          |                            |
|                   | AC | 2003/0236708    | 12-25-03 | Marsh            |       |          |                            |
|                   | AD |                 |          |                  |       |          |                            |
|                   | AE |                 |          |                  |       |          |                            |
|                   | AF |                 |          |                  |       |          |                            |
|                   | AG |                 |          |                  |       |          |                            |
|                   | AH |                 |          |                  |       |          |                            |
|                   | AI |                 |          |                  |       |          |                            |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NUMBER | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES<br>NO |
|--|----|-----------------|---------|---------|-------|----------|-----------------------|
|  | AJ | 1 235 174       | 8-28-02 | Europe  |       |          | X                     |
|  | AK | 03/044624       | 5-30-03 | WO      |       |          | X                     |
|  | AL |                 |         |         |       |          |                       |
|  | AM |                 |         |         |       |          |                       |
|  | AN |                 |         |         |       |          |                       |

OTHER DOCUMENT(S) (*Including Author, Title, Date, Pertinent Pages, Etc.*)

|  |    |                                                                                                         |
|--|----|---------------------------------------------------------------------------------------------------------|
|  | AO | TV-ANYTIME: 'Specification Series: S-3-Metadata - SP003v1.1", TV-ANYTIME, August 17, 2001, pages 1-66   |
|  | AP | TV ANYTIME: "DAVIC 1.5 Specifications - TV Anytime and TV Anywhere" TV ANYTIME, April 1999, pages 1-140 |
|  | AQ |                                                                                                         |

EXAMINER

DATE CONSIDERED